

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
JAN 13 2004
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U.S. DISTRICT COURT
DISTRICT OF MASS.

Town of Duxbury, et. al.,

Plaintiffs,

v.

Amerada Hess Corporation, et al.,

Defendants.

Civil Action No. 2003-12399 (RGS)

STIPULATION REGARDING STAY

WHEREAS, a conference was held before the Honorable Shira A. Scheindlin on December 19, 2003, and the parties present stipulated on the record, inter alia, that MTBE-related actions which counsel present at the conference controlled, such as the instant action, should be stayed and transferred to Judge Scheindlin, sitting in her capacity as the assigned judge for In Re: Methyl Tertiary Butyl Ether ("MTBE") Litigation (hereinafter "MDL No. 1358"), that counsel would not oppose the issuance of a conditional transfer order by the Judicial Panel for Multidistrict Litigation (subject to and without waiving plaintiffs' objections to federal jurisdiction and any defendant's objections to personal jurisdiction), and that all motions for remand which are pending before Judge Scheindlin would then be heard by Judge Scheindlin on an expedited briefing schedule;

WHEREAS, in an Order dated December 23, 2003, Judge Scheindlin, sitting in her capacity as the assigned judge for In Re: Methyl Tertiary Butyl Ether ("MTBE") Litigation (hereinafter "MDL No. 1358"), indicated that "all proceedings in the cases set forth in the attached Schedule should be stayed pending transfer to this Court sitting in its capacity as the

SERVICE LIST

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